



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

ONE ASHBURTON PLACE ROOM 411
BOSTON MASSACHUSETTS 02108

MICHAEL J. SULLIVAN
DIRECTOR

TEL: (617) 727-8352
(800) 462-OCPF
FAX: (617) 727-6549

July 8, 1997
AO-97-13

Georgina W. Scott
55 Broad Street
Salem MA 01970-3138

Re: Republican Party Web Page

Dear Ms. Scott:

This letter is in response to your email received June 6, 1997, requesting an advisory opinion regarding a web page of the Massachusetts Republican Party ("the Party").

Question: May the Party permit all Republican city and town committees or any other Republican organization or candidate to post notices on the Party's web page, and if so, do candidates or committees using the page have to disclose the transaction in campaign finance reports?

Answer: The Party may provide access to the web page to candidates, committees and organizations. Such access is not a "contribution," and therefore it is not subject to the disclosure requirements imposed by the campaign finance law.

Facts: The Party has a web page, "Official Massachusetts Republican Party." Within the Party's web page, there is a calendar of events. The web site for the calendar is "<http://www.massgop.com/calendar.htm>." The calendar may be used to post notices of "meetings, events, activities, etc." Access is provided without charge to all Republican city and town committees and any other Republican organization or candidate.

You have asked whether these Republican organizations and candidates may use the calendar and whether there are any related reporting or disclosure requirements.

Discussion: This office has previously advised that a candidate committee may use campaign funds to design, implement and maintain a web site or home page. See AO-97-06. The office stated that such expenditures "would appear to be an appropriate method for providing information to constituents." Similarly, a state party committee may also establish a web page. The Party's cost of developing and maintaining the web

Georgina W. Scott
July 8, 1997
Page 2

site is an expenditure as defined by M.G.L. c. 55, § 1. Therefore, the Party's state committee must make such expenditures for the web page from, and report them through, the committee's depository bank account in accordance with M.G.L. c. 55, §§ 7 and 19.

A "contribution" is defined as a transfer of money or anything of value for the purpose of influencing the nomination or election of an individual or candidate or for the purpose of promoting or opposing a ballot question. See M.G.L. c. 55, s. 1. If providing space in the calendar free of charge were considered a "contribution," disclosure would be required. A web site calendar, however, is no different from a calendar that might be included as part of a state political committee or party newsletter. The web site calendar, like a calendar in a newsletter published by the Party, is primarily used to enhance the interests of the Party.

Republican organizations and candidates may be asked to let the Party know of upcoming events for a printed newsletter by phone or mail without charge. Similarly, these organizations and candidates may forward information regarding upcoming events for a web site by email or the Internet without charge. In both cases, the Party is not making a "contribution" as that term is defined by the campaign finance law. Compare AO-85-03 (the Party may not accept paid corporate advertising for a print newsletter it wished to publish because of the prohibition on corporate contributions).

This opinion is issued on the basis of your letter and solely within the context of the campaign finance law. I encourage you to contact us in the future if you have further questions regarding any aspect of the campaign finance law.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael J. Sullivan". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael J. Sullivan
Director